

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

Brandon Boyce,)
)
)
Plaintiff,)
)
)
v.) **No. 13-2266**
)
)
)
Four Unknown Omaha Police)
Officers, et al.,)
)
Defendants.)

ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court is the Magistrate Judge's June 12, 2013 Report and Recommendation (the "Report") to dismiss Plaintiff Brandon Boyce's ("Boyce") in forma pauperis Complaint. (Report, ECF No. 4.) The Magistrate Judge recommends that the Complaint be dismissed without prejudice for failure to prosecute under Federal Rule of Civil Procedure 41(b). For the following reasons, the Court ADOPTS the Report of the Magistrate Judge and DISMISSES the Complaint.

The Magistrate Judge found that:

Boyce has failed to submit a proper *informa pauperis* affidavit in a timely manner, more than 21 days have passed since the order was resent, and Boyce has failed to notify the court in writing of his new address as instructed. Because Boyce has failed to comply with this court's order dated May 1, 2013, it is recommended that Boyce's complaint be dismissed

without prejudice, pursuant to Federal Rule of Civil Procedure 41(b), for failure to prosecute.

(Report, ECF No. 4 at 2.)

"Within fourteen days after being served with a copy [of the Magistrate Judge's Report], any party may serve and file written objections to such proposed findings and recommendations as provided by the rules of the court." 28 U.S.C. § 636(b)(1)(c). The district court is not required to review — under a de novo or any other standard — those aspects of the report and recommendation to which no objection is made. Thomas v. Arn, 474 U.S. 140, 150 (1985). The district court should adopt the findings and rulings of the Magistrate Judge to which no specific objection is filed. Id. at 151.

Boyce has failed to object to the Report and the time to do so has passed. The Court ADOPTS the Report and DISMISSES the Complaint without prejudice.

So ordered this 2nd day of December, 2013.

s/ Samuel H. Mays Jr.

SAMUEL H. MAYS, JR.

UNITED STATES DISTRICT JUDGE